

## EXHIBIT A

tscannell@faelaw.com

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**From:** Larry Johnson <lcjohnson1@me.com>  
**Sent:** Wednesday, February 12, 2020 1:56 PM  
**To:** Thomas Scannell  
**Cc:** John Moynihan  
**Subject:** Fwd: Subscription to your mailing list...

Begin forwarded message:

**From:** Elizabeth Mann <mann@persq.com>  
**Subject:** RE: Subscription to your mailing list...  
**Date:** December 4, 2013 at 3:06:31 PM EST  
**To:** Larry Johnson <lcjohnson1@me.com>

Hi Larry--

What's the best number to reach you on right now?

E

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**From:** Larry Johnson [mailto:lcjohnson1@me.com]  
**Sent:** Tuesday, December 03, 2013 10:23 AM  
**To:** Elizabeth Mann  
**Cc:** John Moynihan  
**Subject:** Re: Subscription to your mailing list...

10am is fine. John and I are East Coast. I'm in Florida and he is in Worcester, Mass.  
What number?  
Larry Johnson  
[lcjohnson1@me.com](mailto:lcjohnson1@me.com)

On Dec 3, 2013, at 9:58 AM, Elizabeth Mann <mann@persq.com> wrote:

Gentlemen-

Our team is available for a call tomorrow at 10am EST - now, I realize you are on the west coast so if that is too early we can do it next week... let me know.

Best,  
Elizabeth

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Elizabeth B. Mann  
Pershing Square Capital Management, L.P.  
888 7th Avenue, 42nd Floor  
New York, NY 10019  
P: 212.813.3700  
D: 212.652.3160

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**From:** Larry Johnson [<mailto:lcjohnson1@me.com>]  
**Sent:** Monday, December 02, 2013 11:52 AM  
**To:** Elizabeth Mann  
**Cc:** John Moynihan  
**Subject:** Re: Subscription to your mailing list...

E,  
We do not put out a regular newsletter. I am attaching our capabilities statement. There is no other firm like ours that is capable of tackling unique money laundering cases. Judging from what we've read in the press about Mr. Ackman's efforts to expose the Herbal Life pyramid scheme, it appears that you folks have not fully considered or explored how to use a money laundering angle for going after them. I think a conversation this afternoon would be worth your while.  
Best

Larry Johnson  
[lcjohnson1@me.com](mailto:lcjohnson1@me.com)

On Dec 2, 2013, at 11:47 AM, Elizabeth Mann <[mann@persq.com](mailto:mann@persq.com)> wrote:

> I am indeed!  
>  
> I was going to reach out at some point this week, on background, based on Evan Wright's recommendation, but saw on your website that you do (or did?) offer a newsletter subscription so I thought I might join that list as well.  
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> E  
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> \_\_\_\_\_  
> Elizabeth B. Mann  
> Pershing Square Capital Management, L.P.  
> 888 7th Avenue, 42nd Floor  
> New York, NY 10019  
> P: 212.813.3700  
> D: 212.652.3160  
>  
>  
>  
> -----Original Message-----  
> From: Larry Johnson [<mailto:lcjohnson1@me.com>]  
> Sent: Monday, December 02, 2013 11:44 AM  
> To: Elizabeth Mann  
> Cc: John Moynihan  
> Subject: Re: Subscription to your mailing list...  
>  
> Elizabeth,  
> Are you with Pershing Square?

> Larry Johnson  
> [lcjohnson1@me.com](mailto:lcjohnson1@me.com)  
>  
>  
>  
> On Dec 2, 2013, at 10:51 AM, Elizabeth Mann <[mann@persq.com](mailto:mann@persq.com)> wrote:  
>  
>> From: Elizabeth Mann <[mann@persq.com](mailto:mann@persq.com)> Phone 9179751492  
>> Subject: Subscription to your mailing list...  
>>  
>> Message Body:  
>>  
>>  
>> --  
>> This mail is sent via contact form on berg  
>> <http://174.120.202.157/~bergasso>  
>>  
>

## EXHIBIT B

tscannell@faelaw.com

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**From:** Larry Johnson <lcjohnson1@me.com>  
**Sent:** Wednesday, February 12, 2020 2:17 PM  
**To:** Thomas Scannell  
**Cc:** John Moynihan  
**Subject:** Fwd: Ecuador - Change in Policy - HLF Bank Fraud? - How Will Poor People Order?

Begin forwarded message:

**From:** "Roy J. Katzovicz" <rlk@persq.com>  
**Subject:** FW: Ecuador - Change in Policy - HLF Bank Fraud? - How Will Poor People Order?  
**Date:** March 27, 2014 at 3:15:32 PM EDT  
**To:** "John F. Moynihan - BERG Associates LLC (Jfm83161@aol.com)" <Jfm83161@aol.com>, "Larry C. Johnson (LarryCJohnson@me.com)" <larrycjohnson@me.com>

See below. This might have a nexus to money laundering (or be part of an attempt by the company to start to implement some sort of AML process).

**From:** David Klafter  
**Sent:** Thursday, March 27, 2014 11:24 AM  
**To:** Roy J. Katzovicz  
**Subject:** Ecuador - Change in Policy - HLF Bank Fraud? - How Will Poor People Order?

This may be a good issue for Berg - potential money-laundering and, at best, lack of know-your-customer enforcement and encouragement of stacking. Can you forward it to them?

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**From:** christine richard [mailto:[christine.s.richard@gmail.com](mailto:christine.s.richard@gmail.com)]  
**Sent:** Thursday, March 27, 2014 10:34 AM  
**To:** PSHLF; Roy J. Katzovicz  
**Subject:** Ecuador - Change in Policy - HLF Bank Fraud? - How Will Poor People Order?

See attached notice to distributors in Ecuador. It appears that as of March 15 distributors are no longer able email credit card numbers or letters of credit to Herbalife to order products.

This was both a privacy concern and perhaps a violation of credit card industry rules .... at least that's my impression after a clunky Google translation.

Recall that some distributors in Colombia have been advised to email their orders into Herbalife too. I wonder if they are being told not to now?

Why all this emailing of credit card numbers?

If you have a credit card, why not use [Myherbalife.com](http://Myherbalife.com)? The system is seamless and immediately confirms your order and volume points, etc.

I suspect that the reason orders are emailed is because multiple people are using the same credit card. So you have a large group of Ecuadorean distributors and they use one person's credit card because most people can't get a credit card.

Perhaps Herbalife's official system will not allow these orders to go through [Myherbalife.com](http://Myherbalife.com)? After all, if 100 people order using the same credit card number every month then shouldn't Herbalife be flagging that as credit card fraud? 99 of those people should be assumed to have stolen the card.

In fact, now that I think about it, the credit card companies are likely to flag the transactions and shut them down. Imagine that the end of the month rolls around and 100 orders are placed for Herbalife products using the same credit card. Wouldn't the credit card company flag this as a fraud immediately?

So Herbalife sets up a system whereby the many orders are emailed in and consolidated into one order using the name of the person on the credit card. Then the company credits each distributor number by hand and sends a confirming email to each distributor. But the credit card company only sees one person's name on the order.

Question: Is Herbalife participating in credit card/bank fraud? They know these orders are placed by individuals and they accept the individual orders via their offline system. They take these orders knowing many of the people shouldn't be using the card. I bet this is a worldwide issue because so many people they sell to probably don't have credit cards.

I'm attaching a second announcement to Ecuadorean distributors in which the comments on the side are the important part. Distributors are advised to place their order through a individual - Edwin Sarsoza - if their group doesn't have a credit card. This seems like a way to do the consolidating outside of Herbalife.

But, again, how does Herbalife account for the fact that many individuals are placing orders and will need to be credited with volume. Why isn't Edwin Sarsoza credited with all the volume?

If Herbalife starts directing more people to outside credit consolidators like Sarsoza it will lose control over an already overly loose ordering system. They will have all these people placing giant orders - seems like this adds to the money laundering risk already associated with Herbalife.

The whole thing looks messy to me.

If Herbalife continues to accept emailed orders they are turning a blind eye to credit card fraud.

If they allow outside consolidation, they lose control of their ordering system.

If they shut it all down, most of their customers won't be able to order products.

## ACTUALIZACIÓN IMPORTANTE RESPECTO A ÓRDENES POR CORREO ELECTRÓNICO

Estimado Distribuidor Independiente,

Nos gustaría informarle que a partir del 15 de marzo d  
aceptar órdenes por correo electrónico pagadas con t  
es una disposición corporativa que rige a nivel mundial

Queremos proteger la privacidad de nuestros l  
enorgullecemos en asegurar que tenemos las mejo  
tanto, hacemos este cambio para aumentar la protecc  
la información de tarjeta de crédito enviada por co  
mismo tiempo, garantizar que cumplimos con las regul  
de Tarjetas de Crédito. Debido a este cambio, por fav  
métodos alternativos de pago disponibles:

&lt; Entrada (288)



## ANUNCIO

## Horarios de atención en Centros de Distribución a nivel Nacional y Extensión de Cierre de Mes

Estimados Distribuidores Independientes,

Queremos informarles los horarios de atención que tendremos en los Centros de Distribución de Quito, Guayaquil y Cuenca debido al Feriado Nacional de Carnaval:

- **Sábado 01 de marzo:** Se dará atención en Quito y Guayaquil de 09h00 a 13h00, Cuenca permanecerá cerrado.

**From:** Larry Johnson <lcjohnson1@me.com>  
**Sent:** Wednesday, February 12, 2020 2:15 PM  
**To:** Thomas Scannell  
**Cc:** John Moynihan  
**Subject:** Fwd: Phone Message- Herbalife Source

Begin forwarded message:

**From:** Jfm83161@aol.com  
**Subject: Re: Fw: Phone Message- Herbalife Source**  
**Date:** March 18, 2014 at 11:40:05 AM EDT  
**To:** [rjk@persq.com](mailto:rjk@persq.com), [larrycjohnson@me.com](mailto:larrycjohnson@me.com)

Roy,

I have been able to determine what happened with that phone call. It is a person trying to misrepresent information and then trying to get you to pay for it. It is a situation that must be avoided and not advanced. In other words, it could be very troubling down the road. The person involved is not credible and may mislead persons into very dangerous situations. Do not entertain this person or anyone they may try to throw at you. We are in concert with our "old colleagues" and know this situation well.

Thanks

John M.

Sincerely,

John Moynihan

In a message dated 3/18/2014 10:19:55 A.M. Eastern Daylight Time, [rjk@persq.com](mailto:rjk@persq.com) writes:

See below. Calling shortly.

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**From:** Pershing Temp  
**Sent:** Tuesday, March 18, 2014 10:17 AM  
**To:** PSHLF  
**Subject:** Phone Message- Herbalife Source

Hi all,

A gentleman named Juan Uribe called to speak with someone about information he has on Herbalife. He mentioned that he was contacted by someone at Berg Associates, but wanted to deal with us directly. Juan has worked several cases with Herbalife before and is willing to fly to New York for an in person meeting. He can be reached at (561) 340-9030.

Thank you,

Sally